

# **EXHIBIT**

# **B**

**General Docket**  
**United States Court of Appeals for the Fifth Circuit**

<b>Court of Appeals Docket #:</b> 19-20514 <b>Nature of Suit:</b> 3440 Other Civil Rights Monroe v. Houston Indep Sch Dist <b>Appeal From:</b> Southern District of Texas, Houston <b>Fee Status:</b> Fee Paid	<b>Docketed:</b> 07/22/2019 <b>Termed:</b> 11/25/2019
<b>Case Type Information:</b> 1) Civil Rights 2) Private 3)	
<b>Originating Court Information:</b> <b>District:</b> 0541-4 : <a href="#">4:19-CV-1991</a> <b>Court Reporter:</b> Katherine Lee Metzger, Court Reporter <b>Originating Judge:</b> Ewing Werlein, Jr., U.S. District Judge <b>Date Filed:</b> 06/03/2019 <b>Date NOA Filed:</b> 07/20/2019 <b>Date Rec'd COA:</b> 07/22/2019	
<b>Prior Cases:</b> None	
<b>Current Cases:</b> None	
<b>Panel Assignment:</b> <b>Panel:</b> JWE DRW ASO <b>Date of Hearing:</b> 11/05/2019 <b>Date of Decision:</b> 11/25/2019 <b>Date Completed:</b> 11/25/2019	

Gerry Monroe Plaintiff - Appellant	Scott David Newar Direct: 713-226-7950 Email: newar@newarlaw.com [COR LD NTC Retained] Suite 900 440 Louisiana Street Houston, TX 77002-0000
v.	
Houston Independent School District Defendant - Appellee	Eric J. R. Nichols Direct: 737-802-1800 Email: eric.nichols@butlersnow.com [COR LD NTC Retained] Butler Snow, L.L.P. Suite 1000 1400 Lavaca Street Austin, TX 78701














GERRY MONROE,









Plaintiff - Appellant





v.

HOUSTON INDEPENDENT SCHOOL DISTRICT,

Defendant - Appellee

07/22/2019	<input type="checkbox"/> 	CIVIL RIGHTS CASE docketed. NOA filed by Appellant Mr. Gerry Monroe [19-20514] (AS) [Entered: 07/22/2019 09:07 AM]
07/24/2019	<input type="checkbox"/> 	APPEARANCE FORM received from Mr. Scott David Newar for Mr. Gerry Monroe for the court's review. Lead Counsel? Yes. [19-20514] (Scott David Newar ) [Entered: 07/24/2019 03:19 PM]
07/24/2019	<input type="checkbox"/> 	MOTION filed by Appellant Mr. Gerry Monroe to expedite the appeal [9105285-2]. Date of service: 07/24/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols [19-20514] (Scott David Newar ) [Entered: 07/24/2019 03:25 PM]
07/25/2019	<input type="checkbox"/>	APPEARANCE FORM FILED by Attorney Scott David Newar for Appellant Gerry Monroe in 19-20514 [19-20514] (CAS) [Entered: 07/25/2019 04:06 PM]
07/26/2019	<input type="checkbox"/> 	INITIAL CASE CHECK by Attorney Advisor complete, Action: Case OK to Process. [9106645-2] Initial AA Check Due satisfied.. Transcript order due on 08/12/2019 for Appellant Gerry Monroe [19-20514] (CAS) [Entered: 07/26/2019 09:21 AM]
07/26/2019	<input type="checkbox"/> 	ATTORNEY TRANSCRIPT ORDER form filed by Appellant Mr. Gerry Monroe for the Court to process. Date of service: 07/26/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols. [19-20514] (Scott David Newar ) [Entered: 07/26/2019 11:53 AM]
07/26/2019	<input type="checkbox"/>	TRANSCRIPT ORDER received from Appellant Mr. Gerry Monroe. DETAILS: Transcript Order: Court Reporter: Katherine Lee Metzger, Proceeding Type and Date: Hearing 07/11/2019. Transcript Order ddl satisfied. Ct. Reporter Acknowledgment due on 08/05/2019 for Katherine Metzger, Court Reporter. Electronic Filing Processed: <a href="#">[9106887-2]</a> [19-20514] (ABT) [Entered: 07/26/2019 01:38 PM]
08/02/2019	<input type="checkbox"/> 	RESPONSE/OPPOSITION [9113053-1] to the Motion to expedite appeal filed by Appellant Mr. Gerry Monroe in 19-20514 <a href="#">[9105285-2]</a> Date of Service: 08/02/2019. [19-20514] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: RESPONSE/OPPOSITION filed by Houston Independent School District [9113053-1] to the Motion filed by Appellant Mr. Gerry Monroe <a href="#">[9105285-2]</a> Date of Service: 08/02/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols. [19-20514] (Eric J. R. Nichols ) [Entered: 08/02/2019 04:19 PM]
08/05/2019	<input type="checkbox"/> 	REPLY filed by Appellant Mr. Gerry Monroe [9113221-1] to the Response/Opposition filed by Appellee Houston Independent School District <a href="#">[9113053-2]</a> . Date of Service: 08/05/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols. [19-20514] (Scott David Newar ) [Entered: 08/05/2019 08:15 AM]
08/05/2019	<input type="checkbox"/> 	COURT ORDER: IT IS ORDERED that appellant's motion to expedite the appeal is GRANTED. <a href="#">[9105285-2]</a> [19-20514]--[Edited 08/05/2019 by CAS] (CAS) [Entered: 08/05/2019 01:20 PM]
08/06/2019	<input type="checkbox"/> 	COURT REPORTER ACKNOWLEDGMENT received from Court Reporter Ms. Katherine Lee Metzger. [19-20514] (Katherine Lee Metzger ) [Entered: 08/06/2019 11:15 AM]
08/06/2019	<input type="checkbox"/>	ACKNOWLEDGMENT received from Court Reporter Katherine Lee Metzger Transcript Order: Court Reporter: Katherine Lee Metzger, Est. Completion Dt: 08/13/2019, Est. No.of Pgs: 140, Dt. Fin Arrangements Made: 08/06/2019, Dt. Trans. to be Filed: 09/05/2019, Proceeding Type and Date: Hearing 07/11/2019. Ct. Reporter Acknowledgment ddl satisfied. Transcript Due/Court Reporter Discount Date is 08/13/2019 for Katherine Lee Metzger, Court Reporter [19-20514] (CCR) [Entered: 08/06/2019 03:18 PM]
08/14/2019	<input type="checkbox"/>	TRANSCRIPT FILED IN DISTRICT COURT Transcript Order: Court Reporter: Katherine Lee Metzger, Dt. Filed in Dist. Ct: 08/12/2019 Transcript Due/Court Reporter Discount Date canceled [19-20514] (CAS) [Entered: 08/14/2019 08:08 AM]
08/14/2019	<input type="checkbox"/>	EXPEDITED ELECTRONIC RECORD ON APPEAL REQUESTED FROM DISTRICT COURT for 4:19-CV-1991. Electronic ROA due on 08/19/2019. [19-20514] (CAS) [Entered: 08/14/2019 08:09 AM]
08/16/2019	<input type="checkbox"/>	ELECTRONIC RECORD ON APPEAL FILED. Exhibits on File in District Court? Yes. Electronic ROA deadline satisfied. [19-20514] (CAS) [Entered: 08/16/2019 08:13 AM]
08/19/2019	<input type="checkbox"/> 	BRIEFING NOTICE ISSUED. EXPEDITED SCHEDULE. A/Pet's Brief Due on 09/18/2019 for Appellant Gerry Monroe. Appellee's Brief due on 10/08/2019 for Appellee Houston Independent School District. Reply Brief due on 10/18/2019 for Appellant Gerry Monroe. [19-20514] (CAS) [Entered: 08/19/2019 08:55 AM]
08/20/2019	<input type="checkbox"/> 	CASE TENTATIVELY calendared for oral argument for the week of 11/04/2019. [19-20514] (GAM) [Entered: 08/20/2019 10:51 AM]
08/20/2019	<input type="checkbox"/> 	APPEARANCE FORM received from Mr. Eric J. R. Nichols for Houston Independent School District for the court's review. Lead Counsel? Yes. [19-20514] (Eric J. R. Nichols ) [Entered: 08/20/2019 02:50 PM]
08/20/2019	<input type="checkbox"/>	APPEARANCE FORM FILED by Attorney Eric J. R. Nichols for Appellee Houston Independent School District in 19-20514 [19-20514] (CAS) [Entered: 08/20/2019 04:01 PM]
09/18/2019	<input type="checkbox"/> 	SUFFICIENT APPELLANT'S BRIEF FILED # of Copies Provided: 0

- 70 pg, 1.29 MB ☐  Sufficient Brief deadline satisfied. Paper Copies of Brief due on 09/30/2019 for Appellant Gerry Monroe. [19-20514]  
REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPELLANT'S BRIEF FILED Brief NOT Sufficient as it requires some citations to the record to be corrected. Additionally the Brief requires: see attached letter. Instructions to Attorney: PLEASE READ THE ATTACHED NOTICE FOR INSTRUCTIONS ON HOW TO REMEDY THE DEFAULT. # of Copies Provided: 0 A/Pet's Brief deadline satisfied. Sufficient Brief due on 09/24/2019 for Appellant Gerry Monroe. [19-20514] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPELLANT'S BRIEF FILED by Mr. Gerry Monroe. Date of service: 09/18/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols [19-20514] (Scott David Newar ) [Entered: 09/18/2019 08:59 PM]
- 09/18/2019 ☐  51 pg, 4.62 MB SUFFICIENT RECORD EXCERPTS FILED. # of Copies Provided: 0 Sufficient Record Excerpts deadline satisfied. Paper Copies of Record Excerpts due on 09/30/2019 for Appellant Gerry Monroe. [19-20514] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: RECORD EXCERPTS FILED. Record Excerpts NOT Sufficient as they require ROA numbers to be added to the table of content, tab page to be placed in front of docket sheet, any docs not a part of the record to be removed. Instructions to Attorney: PLEASE READ THE ATTACHED NOTICE FOR INSTRUCTIONS ON HOW TO REMEDY THE DEFAULT. # of Copies Provided: 0 Sufficient Record Excerpts due on 09/24/2019 for Appellant Gerry Monroe [19-20514] REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: RECORD EXCERPTS FILED by Appellant Mr. Gerry Monroe. Date of service: 09/18/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols [19-20514] (Scott David Newar ) [Entered: 09/18/2019 09:01 PM]
- 09/24/2019 ☐  68 pg, 1.09 MB PROPOSED SUFFICIENT BRIEF filed by Appellant Mr. Gerry Monroe in 19-20514 [\[9148068-2\]](#) Brief has been deemed insufficient. Corrections required: citations to the record on page 5. Additional corrections required: see attached letter. Instructions to Attorney: PLEASE READ THE ATTACHED NOTICE FOR INSTRUCTIONS ON HOW TO REMEDY THE DEFAULT. Sufficient Brief deadline satisfied. Sufficient Brief deadline updated to 09/30/2019 for Appellant Gerry Monroe [19-20514]  
REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: PROPOSED SUFFICIENT BRIEF filed by Appellant Mr. Gerry Monroe [\[9148068-2\]](#) Date of service: 09/24/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols [19-20514] (Scott David Newar ) [Entered: 09/24/2019 01:06 PM]
- 09/24/2019 ☐  48 pg, 4.45 MB PROPOSED SUFFICIENT RECORD EXCERPTS filed by Appellant Mr. Gerry Monroe [\[9148069-2\]](#) Date of service: 09/24/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols [19-20514] (Scott David Newar ) [Entered: 09/24/2019 01:08 PM]
- 09/24/2019 ☐  67 pg, 1.13 MB PROPOSED SUFFICIENT BRIEF filed by Appellant Mr. Gerry Monroe [\[9148068-2\]](#) Date of service: 09/24/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols [19-20514] (Scott David Newar ) [Entered: 09/24/2019 04:22 PM]
- 09/25/2019 ☐ CASE CALENDARED for oral argument on Tuesday, 11/05/2019 in New Orleans in the East Courtroom -- PM session. In accordance with our policy, lead counsel only will receive via email at a later date a copy of the court's docket and an acknowledgment form. All other counsel of record should monitor the court's website for the posting of the oral argument calendars.. [19-20514] (SME) [Entered: 09/25/2019 12:08 PM]
- 09/30/2019 ☐ Paper copies of Appellant Brief filed by Appellant Mr. Gerry Monroe in 19-20514 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [19-20514] (CMB) [Entered: 09/30/2019 12:25 PM]
- 09/30/2019 ☐  2 pg, 76.7 KB Paper copies of Record Excerpts filed by Appellant Mr. Gerry Monroe in 19-20514 received. Paper copies match electronic version of document? Yes They require: Tabs that extend past the edge of the pages # of Copies Provided: 4. Paper Copies of Record Excerpts due deadline satisfied. Sufficient Paper Copies of Record Excerpts Due on 10/07/2019 for Appellant Gerry Monroe. [19-20514] (CMB) [Entered: 09/30/2019 12:32 PM]
- 10/02/2019 ☐ Paper copies of Record Excerpts [\[9155905-2\]](#) received as sufficient. Sufficient Paper Copies of Record Excerpts due deadline satisfied. [19-20514] (CMB) [Entered: 10/03/2019 09:20 AM]
- 10/08/2019 ☐  52 pg, 554.32 KB APPELLEE'S BRIEF FILED # of Copies Provided: 0 E/Res's Brief deadline satisfied. Paper Copies of Brief due on 10/15/2019 for Appellee Houston Independent School District. [19-20514]  
REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPELLEE'S MEMORANDUM BRIEF FILED by Houston Independent School District. Date of service: 10/08/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols [19-20514] (Eric J. R. Nichols ) [Entered: 10/08/2019 01:45 PM]
- 10/11/2019 ☐ Paper copies of Appellee Brief filed by Appellee Houston Independent School District in 19-20514 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [19-20514] (DMS) [Entered: 10/11/2019 03:34 PM]
- 10/18/2019 ☐  23 pg, 622.41 KB APPELLANT'S REPLY BRIEF FILED # of Copies Provided: 0  
Reply Brief deadline satisfied. Paper Copies of Brief due on 10/23/2019 for Appellant Gerry Monroe. [19-20514]  
REVIEWED AND/OR EDITED - The original text prior to review appeared as follows: APPELLANT'S

		REPLY BRIEF FILED by Mr. Gerry Monroe. Date of service: 10/18/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols [19-20514] (Scott David Newar ) [Entered: 10/18/2019 10:30 AM]
10/23/2019	<input type="checkbox"/>	Paper copies of Appellant Reply Brief filed by Appellant Mr. Gerry Monroe in 19-20514 received. Paper copies match electronic version of document? Yes # of Copies Provided: 7. Paper Copies of Brief due deadline satisfied. [19-20514] (DMS) [Entered: 10/24/2019 11:43 AM]
10/28/2019	<input type="checkbox"/>	EXHIBITS REQUESTED FROM DISTRICT COURT for 4:19-CV-1991. Video (thumb drive) admitted as DX3 and DX3A-3F ROA due on 10/29/2019 [19-20514] (CAS) [Entered: 10/28/2019 10:15 AM]
10/31/2019	<input type="checkbox"/>	Exhibits, 1 envelope ( 3 USB Drives for Exhibits 52 & 53, they are DX3, 3A-3F, DX2, P. Ex. 14, 15, & 16), FILED ROA deadline satisfied. [19-20514] (DDL) [Entered: 10/31/2019 08:41 AM]
11/05/2019	<input type="checkbox"/>	ORAL ARGUMENT HEARD before Judges Elrod, Willett, Oldham. Arguing Person Information Updated for: Scott David Newar arguing for Appellant Gerry Monroe; Arguing Person Information Updated for: Eric J. R. Nichols arguing for Appellee Houston Independent School District [19-20514] (SME) [Entered: 11/05/2019 02:02 PM]
11/06/2019	<input type="checkbox"/> 	SUPPLEMENTAL AUTHORITIES (FRAP 28j) FILED by Appellant Mr. Gerry Monroe Date of Service: 11/06/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols [19-20514] (Scott David Newar ) [Entered: 11/06/2019 11:53 AM]
11/08/2019	<input type="checkbox"/> 	RESPONSE filed by Appellee Houston Independent School District to the 28j Letter filed by Appellant Mr. Gerry Monroe [9184147-2] Date of Service: 11/08/2019 via email - Attorney for Appellant: Newar; Attorney for Appellee: Nichols [19-20514] (Eric J. R. Nichols ) [Entered: 11/08/2019 05:07 PM]
11/25/2019	<input type="checkbox"/> 	UNPUBLISHED OPINION FILED. [19-20514 Remanded ] Judge: JWE , Judge: DRW , Judge: ASO. Mandate issue date is 12/17/2019 [19-20514] (DTG) [Entered: 11/25/2019 02:35 PM]
11/25/2019	<input type="checkbox"/> 	JUDGMENT ENTERED AND FILED. Costs Taxed Against: Each party bear its own costs. [19-20514] (DTG) [Entered: 11/25/2019 02:38 PM]
11/26/2019	<input type="checkbox"/> 	MANDATE ISSUED FORTHWITH. Mandate issue date satisfied. [19-20514] (NFD) [Entered: 11/26/2019 10:48 AM]

☒ Documents and Docket Summary☐ Documents Only☐ Include Page NumbersSelected Pages: Selected Size: 

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